

MINUTES OF THE PRE-BID CONFERENCE OF THE NEGOTIATED PROCUREMENT AFTER TWO FAILED BIDDINGS OF THE CONTRACT FOR THE SUPPLY AND DELIVERY OF ONE (1) UNIT BRAND NEW VEHICLE 4 X 2 PICK-UP ON AUGUST 23, 2023 AT PPMC ADMINISTRATION BUILDING, PORO PONT MANAGEMENT CORPORATION, PORO, CITY OF SAN FERNANDO, LA UNION AND THROUGH ZOOM.

I. CALL TO ORDER

The Pre-Bid Conference was called to order by Ms. Maria Victoria Redempta De Guzman-Soriano, Chairperson of the Bids and Awards Committee (BAC) for the Procurement of Goods at 10:00 a.m.

II. PRAYER

The prayer was led by Ms. Abigail Q. Peralta, Member of the Technical Working Group (TWG).

III. DETERMINATION OF QUORUM AND ACKNOWLEDGMENT OF PARTICIPANTS

Ms. Soriano requested Ms. Charlotte C. Bandolin, Head of the BAC Secretariat, to determine the existence of a quorum. Ms. Bandolin declared the existence of a quorum.

Ms. Bandolin acknowledged the presence of the following:

Bids and Awards Committee for the Procurement of Goods

Chairperson	:	Ms. Maria Victoria Redempta De Guzman-Soriano
Vice Chairperson	:	Ms. Eliza M. Maconocido
Members	:	Ms. Josefa Catherine T. Bada Atty. Marlou P. Pacleb Engr. Cerila A. Corpuz Mr. Franklin C. Villareal

Technical Working Group

Head	:	Mr. Ronel P. Hullana
Member	:	Mr. John Roel B. Deluyas Ms. Abigail Q. Peralta Mr. Rogelio E. Petran Ms. Charlotte C. Bandolin

BAC Secretariat

Head	:	Ms. Charlotte C. Bandolin
Members	:	Mr. Carlo S. Escalona Ms. Michelle A. Subala

Prospective Suppliers:

Ms. Soriano requested Ms. Bandolin to acknowledge the prospective suppliers present in the Pre-bid Conference.

Ms. Bandolin acknowledged the presence of the following prospective suppliers:

Nissan Commonwealth

Mr. Alfie Guitering
Mr. Darius Angeles

Nissan Baguio

Mr. Adrian Krizton Ocampo

Observers

Ms. Soriano asked Ms. Bandolin if the appropriate notices were given to the observers. Ms. Bandolin answered in the affirmative.

Ms. Soriano asked Ms. Bandolin to enumerate the observers which were invited. Ms. Bandolin stated that the following observers were invited:

- Commission on Audit Regional Office I
- Philippine Institute of Certified Public Accountants, Inc. – La Union Chapter
- Chamber of Commerce and Industry of La Union
- Bases Conversion and Development Authority

IV. DISCUSSION

Ms. Soriano presented the agenda and asked for a motion for its approval. Upon motion made by Engr. Corpuz and duly seconded by Mr. Villareal, the Agenda was approved.

For the purposes of submission, the submittal shall be composed of the technical component and financial component.

4.1 Negotiated Procurement Documents

Ms. Soriano stated that the negotiated procurement after two failed bidding documents is composed of twenty four pages. Included in the documents are the following:

- Checklist of documents for submission together with the instructions;
- Invitation for Negotiations;
- Form 1 – Conformity with the Technical Specifications;
- Form 2 – Terms and Conditions; and
- Form 3- Omnibus Sworn Statement.

Since what is being conducted is a negotiated procurement after two failed biddings, the number of requirements were reduced.

Ms. Soriano stated that what is being procured is the Contract for the Supply and Delivery of One (1) Unit Brand New Vehicle 4 x 2 Pick-Up wit an Approved Budget for the Contract is One Million Seven Hundred Thousand Pesos (Php 1,700,000.00).

4.2 Documents to be Submitted:

For purposes of submission, the documents to be submitted shall consist of the technical component and financial component.

As provided for in the Invitation for Negotiation, the delivery of the Goods is required within thirty (30) calendar days from receipt of Notice to Proceed and the suppliers should have completed, within five (5) years from the date of submission and receipt of quotations, a contract similar to the Project.

The Procurement Project is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to RA No. 5183.

Suppliers may obtain further information from Poro Point Management Corporation and inspect the Documents from Mondays to Fridays, from 8:00 a.m. to 5:00 p.m.

A complete set of the Document for Negotiated Procurement After Two Failed Biddings may be acquired by interested suppliers from the PhilGEPS and PPMC Website, free of charge.

PPMC is now conducting the Pre-Bid Conference and the Negotiation will follow later at 11:00 am.

Quotations must be duly received by the BAC Secretariat through manual submission at the office address as indicated below or online/ electronic submission at ppmcbacsecretariat@gmail.com on or before September 1, 2023 at 10:00 a.m. Philippine Standard Time. Late bids shall not be accepted.

Suppliers may submit their bids earlier.

Each Supplier shall submit one (1) original and two (2) copies of the Eligibility and Technical Requirements Envelope and Financial Requirements Envelope.

Bid opening shall immediately follow after the deadline for submission of bids on September 1, 2023.

The Poro Point Management Corporation reserves the right to reject any and all quotations, declare a failure of Negotiated Procurement After Two Failed Biddings, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected supplier.

For further information, suppliers may contact the head of the BAC Secretariat, Ms. Charlotte C. Bandolin which contact details are provided in the negotiated procurement documents.

Ms. Soriano request Engr. Corpuz to discuss the checklist of documents for submission. Engr. Corpuz read out the following:

CHECKLIST OF DOCUMENTS FOR SUBMISSION

The following documents shall be submitted by the bidder to determine its technical, legal and financial capability:

ENVELOPE NO. 1 - ELIGIBILITY AND TECHNICAL REQUIREMENTS ENVELOPE



	CONTENTS OF DOCUMENT	REMARKS
I. ELIGIBILITY DOCUMENTS		
Legal Documents		
<ul style="list-style-type: none"> Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) in accordance with Section 8.5.2 of the IRR 		
II. Technical Documents		
1. Form 1- Conformity with the Technical Specifications		
2. Form 2 - Compliance with Terms and Conditions		
3. Form 3- Notarized Omnibus Sworn Statement (OSS)		
4. Proof of Appointment of Bidder's Authorized Representative/s. <ul style="list-style-type: none"> a. Notarized Representative/s Certificate issued by the Corporate Secretary (for Corporation/ Cooperative/ Joint Venture) or issued by the Managing Partner or President (for Partnership), attesting the appointment of the bidder's representative/s; OR b. Notarized Special Power of Attorney, for Sole Proprietorship; OR c. Notarized Certification issued by the dealer authorizing the sales agent to submit bid and sign the Bid Form. 		

ENVELOPE NO. 2 - FINANCIAL REQUIREMENT ENVELOPE

Form 4 - Duly signed and accomplished Financial Bid Form

- Suppliers shall submit one (1) original and two (2) copies.
- Quotations must be duly received by the BAC Secretariat through manual submission at the office address as indicated in the Invitation for Negotiations or electronic submission at ppmcbacsecretariat@gmail.com on or before September 1, 2023 at 10:00 a.m. Philippine Standard Time. Late bids shall not be accepted.

Each Supplier shall submit one (1) original and two (2) copies of the first and second components of its quotation.

3. Format and Signing of Quotations:

For Manual Submission of Quotations:

- a. Suppliers shall submit their quotations through their duly authorized representative on or before the deadline on September 1, 2023, 10:00 a.m. in two (2) separate sealed envelopes, and which shall be submitted simultaneously. The first shall contain the technical component of the quotation, including the eligibility requirements, and the second shall contain the financial component of the quotation.
- b. The Supplier shall prepare and submit an original of the first and second envelopes. In addition, the Supplier shall submit copies of the first and second envelopes. In the event of any discrepancy between the original and the copies, the original shall prevail.
- c. Each and every page of the Bid Form shall be signed by the duly authorized representative/s of the Bidder. Failure to do so shall be a ground for the rejection of the bid.
- d. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative/s of the Bidder.

For Electronic Submission of Quotations:

- a. Submission may be done through electronic mail and quotations must be duly received by the BAC Secretariat through the email address, ppmcbacsecretariat@gmail.com on or before September 1, 2023 at 10:00 a.m., provided that the following will be observed:

Use of a two-factor security procedure consisting of an archive format compression and password protection to ensure the security, integrity and confidentiality of the submitted quotation;

Suppliers may use the following for archiving and password protection of the proposals. (Example: WinRAR, WinZip)

For the security of proposals submitted, the Suppliers may use the following to encrypt their files. (Example: MS Word, Adobe Acrobat)

Allow access to a password-protected Eligibility and Technical Requirements and password-protected Financial Requirement on opening date and time.

The passwords for accessing the file for the Eligibility and Technical Requirements and the Financial Requirements will be disclosed by the Bidders only during the actual opening of quotations which will be on September 1, 2023, at the time of the opening of the submitted quotation.

A PDF file containing the instructions on encrypting an Archive with WinRAR and encrypting a PDF with Acrobat DC is attached to this Document for Negotiated Procurement After Two Failed Biddings.

4. Sealing and Marking of Bids for Manual Submission of Quotations:

- a. Suppliers shall enclose their original eligibility and technical documents described in one sealed envelope marked "ORIGINAL - TECHNICAL COMPONENT", and the original



of their financial component in another sealed envelope marked "ORIGINAL – FINANCIAL COMPONENT", sealing them all in an outer envelope marked "ORIGINAL BID".

- b. Each copy of the first and second envelopes shall be similarly sealed duly marking the inner envelopes as "COPY NO. ___ - TECHNICAL COMPONENT" and "COPY NO. ___ – FINANCIAL COMPONENT" and the outer envelope as "COPY NO. ___", respectively. These envelopes containing the original and the copies shall then be enclosed in one single envelope.
- c. The original and the number of copies of the quotation shall be typed or written in ink and shall be signed by the supplier or its duly authorized representative/s.
- d. All envelopes shall:
 - i. contain the name of the contract to be quoted in capital letters;
 - ii. bear the name and address of the supplier in capital letters;
 - iii. be addressed to the Procuring Entity's BAC; and
 - iv. bear a warning "DO NOT OPEN BEFORE..." the date and time for the opening of quotations.
 - v. Quotation envelopes that are not properly sealed and marked, as required in the Document for Negotiated Procurement After Two Failed Biddings, shall not be rejected, but the supplier or its duly authorized representative shall acknowledge such condition of the bid as submitted. The BAC or the Procuring Entity shall assume no responsibility for the misplacement of the contents of the improperly sealed or marked bid, or for its premature opening.

Ms. Soriano requested Mr. Hullana to discuss the Schedule of Requirements. Mr. Hullana read out the Terms of Reference as follows:

SUPPLY AND DELIVERY OF ONE (1) UNIT BRAND NEW VEHICLE 4 X 2 PICK-UP WITH THE FOLLOWING MINIMUM SPECIFICATIONS:

Minimum Specifications		Bidder's Statement of Compliance
ENGINE		Comply
Engine Technology	4-Cylinders	Comply
• Type	At least 16-Valve with Turbo System	Comply
• Displacement	Engine displacement not exceeding 2500cc for gasoline OR 3000 cc for diesel; OR Alternative Fuel Vehicle	Comply
TRANSMISSION AND CHASIS		Comply
• Transmission	6-Speed A/T	Comply
• Brakes	Front: Ventilated Discs Rear: Drum Type	Comply
SAFETY	<ul style="list-style-type: none"> • With Anti-Lock Brake System • With SRS Airbags • With Seatbelts (Front Seats and Rear Seats) 	Comply

OTHER ACCESSORIES	<ul style="list-style-type: none"> • With Siren and LED Blinkers (For the details of the specifications, please refer to page 10) • With Stickers for Patrol (For the details of the specifications, please refer to pages 11 and 12) • With Basic Tool Kit (Jack, Tire Wrench) and Early Warning Device • With one (1) spare tire • With Tint • With Floormat • With Seat Covers • With Undercoat 	Comply
WARRANTY	3 Years or 100,000 km whichever comes first	Comply
REGISTRATION	With Free LTO Registration for Three (3) Years	Comply
DELIVERY	Within Thirty (30) Calendar Days from Receipt of the Notice to Proceed	Comply
SPECIAL PROVISION	Bidder must have been engaged in the sale and service maintenance of vehicles in good standing in the Philippines for at least ten years from the date of the invitation to bid. The vehicle brand must have good quality track record and must have been commercially sold and distributed in the Philippines for at least ten years from the date of the Invitation to Bid.	Comply

The supplier may offer more superior specifications at no additional cost to PPMC.

Ms. Soriano requested Ms. Bandolin to present on screen the specifications and photos of the siren, LED blinkers and stickers of the patrol.

Ms. Bandolin acknowledged the presence of Mr. Vergel Paras of Bases Conversion and Development Authority.

Ms. Soriano further discussed the forms to be used.

Form 1, Conformity with Technical Specifications

This form shall be submitted with the printed name and signature of the Bidder's Representative/Authorized Signatory.

Form 2, Terms and Conditions

On this form, there is a space provided for the conforme of the authorized signing official.

Form 3, Omnibus Sworn Statement

For sole proprietorship, there is no need to attach documents showing proof of authority, but for partnership, cooperative and corporations, suppliers shall attach Notarized Corporate Secretary's Certificate, Board Resolution or Special Power of Attorney, whichever is applicable.

Form 4, Financial Bid Form.

The form can be found on pages 22 and 23 of the documents. The required information are the following: model/variant to be delivered, the total bid price/ price quotation VAT inclusive, in figures and in words. On the next page, the following shall be provided: the signature and name of duly authorized representative, duly authorized to sign bid for and on behalf of , which pertains to the name of the company, date, complete address, email address and contact number.

The financial bid form will only be opened once the supplier passed the technical component of the quotation.

Ms. Soriano emphasized that since online submission of quotations is allowed, suppliers shall only submit the password of their quotation once the BAC asked for it during the actual opening of quotations to ensure the integrity of submissions.

4.3 Bid Evaluation

If the bidders will pass the Technical and Financial Evaluation of Bid, a Bid Evaluation will be conducted. A Bid Evaluation will be conducted to check arithmetical calculations and completeness of the bid. During Bid Evaluation, the Lowest Calculated Bid will be determined.

4.4 Post-Qualification

After the conduct of Bid Evaluation, the bidder which has the Lowest Calculated Quotation as identified in the Bid Evaluation will be subjected to Post-qualification. The post-qualification process will determine the veracity, authenticity and completeness of the documents submitted.

4.5 Contract Award and Implementation

Ms. Soriano stated that once the Lowest Calculated and Responsive Quotation (LCRQ) has been determined, then the BAC will be recommending the contract award to the supplier which has the LCRQ.

The bidder which has the LCRQ will be given ten (10) days to post a Performance Security as indicated in the Terms and Conditions.

4.6 Warranties

Ms. Soriano stated that warranties is governed by Section 62 of the Revised IRR of RA 9184 and it is also provided for in the Technical Specifications.

4.7 Offenses and Penalties

Ms. Soriano asked Engr. Corpuz to discuss the Offenses and Penalties. Engr. Corpuz read out the offenses and penalties as follows:

65.1. Without prejudice to the provisions of R.A. 3019 and other penal laws, public officers who commit any of the following acts shall suffer the penalty of imprisonment of not less than six (6) years and one (1) day, but not more than fifteen (15) years:

- a) Opening any sealed bid including but not limited to Bids that may have been submitted through the electronic system and any and all documents required to be sealed or divulging their contents, prior to the appointed time for the public opening of Bids or other documents.
- b) Delaying, without justifiable cause, the screening for eligibility, opening of bids, evaluation and post evaluation of bids, and awarding of contracts beyond the prescribed periods of action provided for in this IRR.
- c) Unduly influencing or exerting undue pressure on any member of the BAC or any officer or employee of the Procuring Entity to take a particular action which favors, or tends to favor a particular bidder.
- d) Splitting of contracts which exceed procedural purchase limits to avoid competitive bidding or to circumvent the limits of approving or procurement authority.
- e) Abuse by the HoPE of his power to reject any and all bids as mentioned under Section 41 of the Act and this IRR, with manifest preference to any bidder who is closely related to him in accordance with Section 47 of the Act and this IRR.

When any of the foregoing acts is done in collusion with private individuals, the private individuals shall likewise be liable for the offense.

In addition, the public officer involved shall also suffer the penalty of temporary disqualification from public office, while the private individual shall be permanently disqualified from transacting business with the Government.

65.2. Private individuals who commit any of the following acts, and any public officer who conspires with them, shall upon conviction, suffer the penalty of imprisonment of not less than six (6) years and one (1) day but not more than fifteen (15) years:

- a) When two or more bidders agree and submit different bids as bona fide bidders, all the while knowing that the bid(s) of one or more of them was so much higher than the other that the latter could not be honestly accepted and that the contract will surely be awarded to the pre-arranged lowest bid.
- b) When a bidder maliciously submits different bids through two or more persons, corporations, partnerships or any other business entity in which he has an interest, to create the appearance of competition that does not in fact exist so as to be adjudged as the winning bidder.
- c) When two or more bidders enter into an agreement which calls upon one or more of them to refrain from bidding for procurement contracts, or which requires one or more of them to withdraw Bids already submitted, in order to secure an undue advantage to any one of them.
- d) When a bidder, by himself or in connivance with others, employs schemes which tend to restrain the natural rivalry of the parties or operates to stifle or suppress competition and thus produce a result disadvantageous to the public.

In addition, the public officer persons involved shall also suffer the penalty of temporary or perpetual disqualification from public office and the private individual shall be permanently disqualified from transacting business with the Government.

65.3. Private individuals who commit any of the following acts, and any public officer conspiring with them, shall upon conviction, suffer the penalty of imprisonment of not less than six (6) years and one (1) day but not more than fifteen (15) years:

- a) Submitting eligibility requirements of whatever kind and nature that contain false information or falsified documents calculated to influence the outcome of the eligibility screening process or conceal such information in the eligibility requirements when the information will lead to a declaration of ineligibility from participating in competitive bidding.
- b) Submitting Bidding Documents of whatever kind and nature that contain false information or falsified documents or conceal such information in the Bidding Documents, in order to influence the outcome of the competitive bidding.
- c) Participating in a competitive bidding using the name of another or allowing another to use one's name for the purpose of participating in a competitive bidding.



d) Withdrawing a bid, after it shall have qualified as the Lowest Calculated Bid/Highest Rated Bid, or refusing to accept an award, without just cause or for the purpose of forcing the Procuring Entity to award the contract to another bidder. This shall include the non-submission within the prescribed time, or delaying the submission of requirements such as, but not limited to, performance security, preparatory to the final award of the contract.

65.4. It is understood that the above penalties and offenses shall cover all types of procurement whether done manually or electronically.

65.5. When the bidder is a juridical entity, criminal liability and the accessory penalties shall be imposed on its directors, officers or employees who actually commit any of the foregoing acts. If a person previously held liable or found guilty under the provisions of the Act and this IRR has a controlling interest in a prospective bidder-entity, the said bidder-entity shall be disqualified to participate in any procurement activity being conducted by the Government.

Ms. Soriano stated that Offenses and Penalties are taken seriously by PPMC, thus, bidders must be guided accordingly.

Ms. Soriano reiterated that for Sole Proprietorship, if the owner will be the one to execute the Omnibus Sworn Statement a Special Power of Attorney need not be submitted, however, if the representative of the owner will be the one to execute the Omnibus Sworn Statement, then a Special Power of Attorney shall be submitted together with the Omnibus Sworn Statement.

4.8 Supplemental/Bid Bulletin

Ms. Soriano stated that the BAC may issue a Supplemental/Bid Bulletin to amend any portion of the documents and at the same time to document any responses to queries made by the suppliers. The Supplemental/Bid Bulletin will be posted at the PhilGEPs and PPMC Website. All prospective bidders are advised to secure the Supplemental/Bid Bulletin. All responses to queries will be done in writing through a Supplemental/Bid Bulletin.

4.9 No Contact Rule

Ms. Soriano emphasized the No Contact Rule. She also stated that if bidders will request for clarifications, these shall be done in writing, through the BAC Secretariat using the appropriate channel which is the official e-mail address of the BAC Secretariat.

4.10 GPPB Resolutions No. 03-2018, GPPB Circular No. 02-2018, GPPB Resolution No. 09-2020

Ms. Soriano discussed the common reasons for failed biddings. First is the submission after the deadline for submission, the BAC is very strict with the use of the Philippine Standard Time, thus, bidders must synchronize their watches with the Philippine Standard Time. While there is a deadline for submission of bids, bidders may not have to wait for September 1, 2023 to submit their bids; it would be better if bids will be submitted earlier in order to submit it on time.

Second reason is failure to follow the prescribed forms or failure to include necessary information or data required in the forms. Another reason is failure to sign any of the required forms. Failure to indicate the serial number of commission by the notary public can also be a ground of disqualification.

V. REQUEST FOR CLARIFICATIONS/QUESTIONS AND ANSWERS

Ms Soriano invited requests for clarifications or queries from the prospective bidders.

The following questions were answered by Ms. Soriano:



1. From Mr. Darius Angeles of Nissan Commonwealth

Question	Is the Secretary's Certificate considered as a proof of appointment?
Answer	For corporation, the required proof of appointment is a duly notarized Secretary's Certificate

2. From Ms. Sheena Tuliao of Nissan Pangasinan

Question	For engine displacement, can we offer a 2,500 cc for diesel? For the transmission, can we offer a 7-speed A/T? For warranty, can we offer 5 years of 150,000 kms whichever comes first.
Answer	If you will be providing a more superior specifications, it is allowed. What was provided in our technical specifications is the minimum specifications.

3. From Ms. Flexie Deniña of Toyota La Union

Question	What is your preference for the color?
Answer	Preferably WHITE , GRAY or SILVER . If the said vehicle colors are unavailable, PPMC shall choose the color of the vehicle prior to delivery.

4. From Ms. Flexie Deniña of Toyota La Union

Question	What is your preference for the color?
Answer	Preferably WHITE , GRAY or SILVER . If the said vehicle colors are unavailable, PPMC shall choose the color of the vehicle prior to delivery.

5. From Mr. Darius Angeles of Nissan Commonwealth

Question	Can we offer a China brand vehicle?
Answer	The vehicle brand must have good quality track record and must have been commercially sold and distributed in the Philippines for at least ten years from the date of the Invitation to Bid.

6. From Ms. Flexie Deniña of Toyota La Union

Question	What is the Approved Budget of the Contract (ABC) of the project?
Answer	The ABC is One Million Seven Hundred Thousand Pesos (Php 1,700,000.00)

7. From Ms. Flexie Deniña of Toyota La Union

Question	What is the requirement, is it a 4x2 Pick-up or 4x4 Pick-up?
Answer	The requirement is 4x2 Pick-up.



8. From Ms. Flexie Deniña of Toyota La Union

Question	What is the requirement, is the vehicle manual or automatic?
Answer	The requirement is automatic.

VI. ADJOURNMENT

There being no other matters to be discussed, Ms. Soriano thanked the participants and the meeting was adjourned at 11:30 AM.

Prepared by:


MS. CHARLOTTE C. BANDOLIN
Head, BAC Secretariat

Approved by:

BIDS AND AWARDS COMMITTEE FOR THE PROCUREMENT OF GOODS

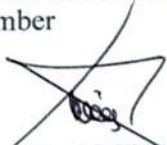

MS. ELIZA M. MACONOCIDO
Vice Chairperson


ATTY. MARLOU PACLEB
Member

ON LEAVE
MS. MARY JANE B. CARLOS
Member


MS. JOSEFA CATHERINE T. BADA
Member


ENGR. CERILA A. CORPUZ
Member


MR. FRANKLIN C. VILLAREAL
Member


MS. MARIA VICTORIA REDEMPTA DE GUZMAN-SORIANO
Chairperson